

CHAPTER 4
DECLARATORY ORDERS

The board of parole hereby adopts the declaratory orders segment of the Uniform Rules on Agency Procedure printed in the first volume of the Iowa Administrative Code with the following amendments:

205—4.1(17A) Petition for declaratory order. In lieu of the words “(designate agency)”, the text should read “board of parole”. In lieu of the words “(designate office)”, the text should read “420 Keo Way, Holmes Murphy Building, Des Moines, Iowa 50309”. In lieu of the words “(AGENCY NAME)”, the heading on the petition form should read:

BEFORE THE BOARD OF PAROLE OF
THE STATE OF IOWA

205—4.2(17A) Notice of petition. Within 15 days after receipt of a petition for a declaratory order, the board of parole shall give notice of the petition to all persons not served by the petitioner pursuant to 205—4.6(17A) to whom notice is required by any provision of law. The board of parole may also give notice to any other persons.

205—4.3(17A) Intervention.

4.3(1) Persons who qualify under any applicable provision of law as an intervenor and who file a petition for intervention within 25 days of the filing of a petition for declaratory order shall be allowed to intervene in a proceeding for a declaratory order.

4.3(2) In lieu of the words “(designate agency)”, the text should read “the board of parole”.

4.3(3) In lieu of the words “(designate office)”, the text should read “Holmes Murphy Building, 420 Keo Way, Des Moines, Iowa 50309–1638”. In lieu of the words “(designate agency)”, the text should read “board of parole”. In lieu of the words “(AGENCY NAME)”, the text should read:

BEFORE THE BOARD OF PAROLE OF
THE STATE OF IOWA

205—4.4(17A) Briefs. In lieu of the words “(designate agency)”, the text should read “board of parole”.

205—4.5(17A) Inquiries. Inquiries concerning the status of a petition for a declaratory order may be made to the Executive Director of the Board of Parole, 420 Keo Way, Holmes Murphy Building, Des Moines, Iowa 50309.

205—4.6(17A) Service and filing of petitions and other papers.

4.6(2) *Filing—when required.* In lieu of the words “(specify office and address)”, the text should read “Board of Parole, Holmes Murphy Building, 420 Keo Way, Des Moines, Iowa 50309–1638”. In lieu of the words “(agency name)”, the text should read “board of parole”.

4.6(3) *Method of service, time of filing, and proof of mailing.* Method of service, time of filing and proof of mailing shall be as provided in the contested cases segment of the Uniform Rules on Agency Procedure.

205—4.7(17A) Consideration. In lieu of the words “(designate agency)”, the text should read “board of parole”.

205—4.8(17A) Action on petition.

4.8(1) In lieu of the words “(designate agency head)”, the text should read the “chairperson of the board of parole”.

4.8(2) The date of issuance of an order or of a refusal to issue an order is as defined in the contested cases segment of the Uniform Rules on Agency Procedure.

205—4.9(17A) Refusal to issue order. In lieu of the words “(designate agency)”, the text should read “board of parole”.

205—4.12(17A) Effect of a declaratory order. In lieu of the words “designate agency”, the text should read “board of parole”.

These rules are intended to implement Iowa Code chapter 17A as amended by 1998 Iowa Acts, chapter 1202.

[Filed 2/6/89, Notice 12/28/88—published 2/22/89, effective 3/29/89]

[Filed 5/14/99, Notice 3/24/99—published 6/2/99, effective 7/7/99]